

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

LESLIE GREER

v.

EDK Allen II LP, EDK Allen II GP, LLC,
EDK Allen III LP, EDK Allen III GP, LLC, and
Las Piramides, Inc.
d/b/a Mexigo Restaurant Bar and Grill.

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Case No. 4:10cv1
(Judge Schneider/Judge Mazzant)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 8, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the Motion for Partial Summary Judgment (Dkt. # 30) of Plaintiff Leslie Greer should be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.


It is, therefore, **ORDERED** that the Motion for Partial Summary Judgment (Dkt. # 30) of Plaintiff Leslie Greer is GRANTED.

It is further **ORDERED** that EDK Allen II LP, EDK Allen II GP, LLC, EDK Allen III LP, and EDK Allen III GP, LLC are in violation of the ADA and that they are discriminating against the Plaintiff in this case.

It is further **ORDERED** that EDK Allen II LP, EDK Allen II GP, LLC, EDK Allen III LP, and EDK Allen III GP, LLC shall bring the Property made the subject of this lawsuit into compliance with the new construction standards of the ADAAG within six (6) months of the date of signing of this Memorandum.

IT IS SO ORDERED.

SIGNED this 29th day of April, 2011.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE